

Island of



Guernsey

Ordinance of the States

XLV
2007

Made29th November, 2007

Coming into Operation11th January, 2008

The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2007

**The Supplementary Benefit (Implementation)
(Amendment) Ordinance, 2007**

THE STATES, in pursuance of their Resolutions of the 28th September, 2006^a and 28th September 2007^b, and in exercise of the powers conferred on them by sections 3(2) and 15 of the Supplementary Benefit (Guernsey) Law, 1971^c, and all other powers enabling them, hereby order:-

Amendment of Supplementary Benefit (Implementation) Ordinance 1971.

1. (1) The Supplementary Benefit (Implementation) Ordinance, 1971^d is amended in accordance with the following subsections.

(2) For section 6(1) substitute -

"(1) The Administrator may, by notice in writing served on an applicant, require him to provide, or produce to, the Administrator -

(a) at such times or intervals, at such place and in

^a Article XVI of Billet d'État No. XVI of 2006.

^b Article XVI of Billet d'État No. XX of 2007.

^c Ordres en Conseil Vol. XXIII, p. 26; amended by Vol. XXVI, p. 292; Vol. XXXI, p. 278 and Order in Council No. VI of 1999; has effect in Alderney by Recueil d'Ordonnances Tome XVII, p. 168; Tome XXIV, p. 468 and Tome XXVI, pp. 177 and 317 and as varied by Ordinance No. IX of 2005.

^d Recueil d'Ordonnances Tome XVII, pp. 139 and 179; Tome XVIII, pp. 119 and 126; Tome XIX, pp. 23, 106, 216 and 280; Tome XX, pp. 81, 158, 359 and 392; Tome XXI, pp. 44, 72, 156, 283 and 452; Tome XXII, pp. 60, 185 and 537; Tome XXIII, pp. 48, 277, 314 and 453; Tome XXIV, pp. 88, 471 and 495; Tome XXV, pp. 49, 168 and 338; Tome XXVI, pp. 75, 194, 319, and 458; Ordinances No. XXVI of 1996; No. XXX of 1997; No. XXXII of 1998; Nos. XIII and XXII of 1999; Nos. IV and XVII of 2000; Nos. XVII and XLVI of 2001; No. XXIV of 2002; Nos. VIII and XXIV of 2003, No. XXXV of 2004, Nos. VIII and XXV of 2005 and No. XLVII of 2006.

respect of such periods as may be specified in the notice, with such information as the Administrator may reasonably require for the performance of his functions, and

- (b) within such time and at such place as may be specified in the notice, such documents or documents of such description as may be so specified, being documents reasonably required by the Administrator for the performance of his functions,

and the applicant shall comply with the requirements of any such notice."

- (3) For the full stop at the end of paragraph 3(2)(c)(ii) of the First Schedule substitute a semi-colon and immediately thereafter insert -

"(d) of a person whose requirements are in accordance with paragraph 7A shall be the amount specified in the fifth column of Table 1."

- (4) Paragraph 3(3)(b) of the First Schedule is repealed.

- (5) For paragraph 5(2) of the First Schedule, substitute -

"(2) The requirements of persons to whom a supplementary benefit has been payable for a continuous period of 6 months or more shall be, in respect of the description of persons set out in the first column of Table 3 -

- (a) the amount specified in the second column of Table 3, or
- (b) where those persons qualify for supplementary benefit by virtue of section 2(1)(j) of the Law -
 - (i) the amount specified in the second column of Table 2, or
 - (ii) where the Administrator considers it just in the circumstances of the particular case, the amount specified in the second column of Table 3."

(6) Immediately after paragraph 7 of the First Schedule, insert -

"Persons in a hospital or care home in the UK.

7A. The requirements of a person who, following referral by the States of Guernsey Health and Social Services Department, is residing in a hospital, care home or other institution in the United Kingdom, shall be a personal allowance of the amount specified in the fifth column of Table 1."

(7) Delete the comma at the end of paragraph 12(b) of the First Schedule and immediately thereafter insert -

"; or

- (c) any sum payable under a whole life insurance policy upon the death of the policy holder where, in the Administrator's opinion, the value of the policy is commensurate with the cost of a funeral,".

(8) In paragraph 15(1) of the First Schedule, the words "and any amount by which those weekly earnings exceed a multiple of five pence shall be disregarded" are repealed.

(9) For the numbered Tables set out in the appendix to the First Schedule, substitute the numbered Tables set out in the schedule to this Ordinance.

Interpretation.

2. (1) Unless the context otherwise requires, references in this Ordinance to an enactment are references thereto as amended, re-enacted (with or without modification), extended or applied.

(2) The Interpretation (Guernsey) Law, 1948^e shall apply to the interpretation of this Ordinance throughout the Islands of Guernsey, Alderney, Herm and Jethou.

Repeal.

3. The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2006^f is repealed.

Citation.

4. This Ordinance may be cited as the Supplementary Benefit (Implementation) (Amendment) Ordinance, 2007.

Extent.

5. This Ordinance shall have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

^e Ordres en Conseil Vol. XIII, p.355.

^f Ordinance No. XLVII of 2006.

Commencement.

- 6.** This Ordinance shall come into force on 11th January, 2008.

SCHEDULE

"Table 1

(Paragraph 3)

Limitation of weekly benefit payable as from the week commencing
11 January 2008

<i>Community</i>	<i>Residential Home</i>	<i>Nursing Home, etc</i>	<i>Personal Allowance</i>	<i>UK Personal Allowance</i>
£367.00	£430.00	£617.00	£25.00	£42.30

Table 2

(Paragraph 5(1))

Short-term Weekly Requirements as from week commencing 11 January
2008

<i>Description</i>	<i>Amount</i>
Husband and wife or other persons falling within paragraph 2(1) (" Couple ")	£164.10
Person not falling within paragraph 2(1) who is directly responsible for household necessities and rent (if any) (" Single householder ")	£114.00
Person who is not a householder (" Non-householder ") -	
Aged 18 years or over;	£86.80

Aged 16 years but less than 18;	£73.70
Aged 15 years	£45.60
Member of a household -	
Aged 18 years or over;	£86.80
Aged 16 years but less than 18;	£73.70
Aged 12 years but less than 16;	£45.60
Aged 5 years but less than 12;	£33.10
Aged less than 5 years	£24.40

Table 3

(Paragraph 5(2))

Long-term Weekly Requirements as from week commencing 11 January
2008

<i>Description</i>	<i>Amount</i>
Husband and wife or other persons falling within paragraph 2(1) (" Couple ")	£202.50
Person not falling within paragraph 2(1) who is directly responsible for household necessities and rent (if any) (" Single householder ")	£140.15
Person who is not a householder (" Non-householder ") -	
Aged 18 years or over;	£108.75
Aged 16 years but less than 18;	£92.15
Aged 15 years	£57.00

Member of a household -	
Aged 18 years or over;	£108.75
Aged 16 years but less than 18;	£92.15
Aged 12 years but less than 16;	£57.00
Aged 5 years but less than 12;	£41.30
Aged less than 5 years	£30.50"